

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

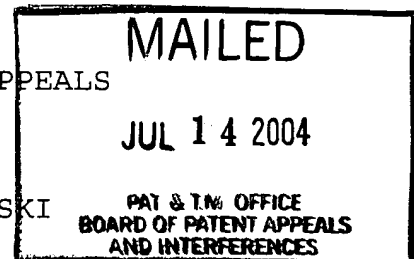
The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 18

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MATTHEW S. RYSKOSKI



Application No. 10/021,676

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on May 28, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On June 18, 2004, An Information Disclosure Statement was filed (Paper No. 17). The Information Disclosure Statement needs to be considered by the primary examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying appellant of the primary examiner's decision is required.

On December 7, 2003, appellant filed Appeal Brief (Paper No. 10). A review of the file reveals that the fee was not charged for the Appeal Brief. Before further review of this file, the above mentioned fee must be applied to the appellant's account.

Accordingly, it is

ORDERED that the application is returned to the Examiner for:

- 1) proper consideration of the Information Disclosure Statement;
- 2) for the charging of the Appeal Brief fees; and 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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